IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 23RD OCTOBER 2007 / 1ST KARTHIKA 1929

WP(C).No. 17570 of 2007(N)

PETITIONER:

N.C.SANTHAKUMARI, D/O. GOVINDAN NAIR,
NELLIPUZHAMADOM, NEDUMKUNNAM P.O.,
CHANGANACHERRY.

BY ADV. SRI.K.JAGADEESCHANDRAN NAIR

RESPONDENTS:

1. **STATE OF KERALA, REPRESENTED BY THE CHIEF SECRETARY, SECRETARIAT, TRIVANDRUM.**
2. **THE DISTRICT COLLECTOR, KOTTAYAM.**
3. **THE TAHSILDAR, CHANGANACHERRY.**
4. **THE VILLAGE OFFICER, NEDUKUNNAM VILLAGE, NEDUKUNNAM.**
5. **THE SECRETARY, GRAMA PANCHAYAT, NEDUKUNNAM.**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/10/2007, ALONG WITH WPC NO. 18206 OF 2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C) NO.17570/2007

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE GIFT DEED DT. 28.3.69.

EXT.P2:- COPY OF THE DEMAND FOR KUTHAKAPATTOM ISSUED TO K.GOVINDAN NAIR DT. 13.1.72 BY THE NEDUMKUNNAM PANCHAYAT.

EXT.P3:- COPY OF THE RECEIPT DT. 27.3.72.

EXT.P4:- COPY OF THE RESOLUTION DT. 29.9.84 OF NEDUKUNNAM PANCHAYAT.

EXT.P5:- COPY OF THE REPRESENTATION DT. 5.2.90 SUBMITTED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

EXT.P6:- COPY OF THE ACKNOWLEDGEMENT CARD RELATING TO EXT.P5.

EXT.P7:- COPY OF THE NOTICE DT. 26.5.07 ISSUED BY THE 3RD RESPONDENT EVICITION.

/TRUE COPY/

P.S. TO JUDGE

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ANTONY DOMINIC, J.

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W.P.(C) Nos. 17570 & 18206 OF 2007
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Dated this the 23rd October, 2007

J U D G M E N T

In these two writ petitions, the challenge is against Exts. P7 and P6 notices issued requiring the petitioners to vacate the premises held by them. Long before these notices were issued the petitioners had applied for assignment of the plots of land held by them as per Exts. P5 and P4 respectively.

2. It is the complaint of the petitioners that without passing orders in these applications, they are sought to be evicted. Taking into account the pendency of Exts. P5 and P4 applications in these two cases, I dispose of these writ petitions directing that the 2nd respondent shall consider the same as expeditiously as possible, at any rate within three months from the date of receipt of a copy of this judgment.

3. In the meanwhile further proceedings pursuant to Exts. P7 and P6 in these cases shall be kept in abeyance.

ANTONY DOMINIC
JUDGE

jan/-